IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

WRIT PETITION NO.8264 OF 2004

Madhav Bhanudas Mahadik ... Petitioner

V/s.

State of Maharashtra & Ors. ... Respondents

Mr.S.R. Borulkar with A.B. Vagyani for Petitioner
Mr.S.R. Nargolkar, AGP, for Respondents

CORAM: **V.G. PALSHIKAR &**
SMT.NISHITA MHATRE, JJ.

DATED: **JANUARY 11, 2005**

P.C.:

. The claim of the Petitioner in this petition is a Writ of Mandamus directing the Respondents to consider the case of the Petitioner for appointment on compassionate ground as a nominee of a freedom fighter. The application of the Petitioner was pending for several years. All that has been done by the State in relation to such nominee is granting preferential treatment to other things like educational qualifications, etc. being equal. From time to time, age relaxation also was granted to persons belonging to this category. It is alleged that now the Petitioner is over-aged. Reliance sought to be placed on two resolutions of the Government, the combined effect of which, according to the learned Counsel, is to raise the

upper age limit to 43 years in case of nominees of freedom fighters. Such reading of the Government Resolution is not possible nor is permissible under law. Rejection of Petitioner’s claim as age barred is therefore, proper. No interference is called for. Petition rejected.